

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARIA ARTEAGA, MOISES RINCON, §
TERESA RODRIGUEZ, AND JOSE RUIZ §
Plaintiff, §
§
§
vs. § CIVIL ACTION NO.1:20-cv-00026
§
AQUA FINANCE, INC GREEN SKY LLC, §
TRUIST BANK FKA SUNTRUST BANK, §
CONNEXUS CREDIT UNION, APOLLOTEK §
INTERNATIONAL INC AND SPACEWATER §
SYSTEMS, LLC §
Defendants. §

**DEFENDANTS SPACEWATER SYSTEMS, LLC's
ANSWER AND DEFENSES TO PLAINTIFF'S ORIGINAL COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant, **SpaceWater Systems, LLC**, which answer the allegations of the Plaintiff, **Maria Arteaga, Moises Rincon, Teresa Rodriguez and Jose Ruiz**, and asserts affirmative defenses as follows:

ADMISSIONS AND DENIALS

Introduction

1. Defendant denies the factual allegations contained in the introduction.

Parties

2. Defendant lacks knowledge or information sufficient to form a belief about the residencies and locations of the other named parties as recited as alleged in paragraphs 1-8. As such, the allegations are denied.

3. Defendant admits the allegations contained in paragraph 9.
4. The allegations in the paragraph 11 merely contain recitals or state legal conclusions to which no responsive pleading is required.

Jurisdiction and Venue

5. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegation that the court has subject matter jurisdiction pursuant to 15 U.S.C. § 1640 (Truth in Lending Act) or 18 U.S.C. § 1964 (RICO), as alleged in paragraph 12.
6. Defendant admits the allegations contained in paragraph 13.
7. Defendant lacks knowledge or information sufficient to form a belief about the residencies and locations of the other named parties as recited as alleged in paragraphs 14-16. As such, the allegations are denied.
8. Defendant lacks knowledge or information sufficient to form a belief about the facts in support of venue as recited as alleged in paragraph 17. As such, the allegations are denied.

Factual Allegations

7. Defendant denies the allegations contained in paragraphs 18-28.
8. Defendant lacks knowledge or information sufficient to form a belief about the allegations contained in paragraph 29. As such, the allegations are denied.
9. Defendant denies the allegations contained in paragraphs 29-47.
10. Defendant lacks knowledge or information sufficient to form a belief about the allegations contained in paragraphs 48-51. As such, the allegations are denied.

11. Defendant denies the allegations contained in paragraphs 52-71.
12. Defendant lacks knowledge or information sufficient to form a belief about the allegations contained in paragraphs 72-82. As such, the allegations are denied.
13. Defendant denies the allegations contained in paragraphs 83-139.

Causes of Action and Prayer for Relief

14. Defendant denies the factual allegations which are contained within paragraphs 140-182.

AFFIRMATIVE DEFENSES

15 **First Affirmative Defense.** Plaintiffs' Original Complaint fails to state a cause of action upon which relief may be granted.

16. **Second Affirmative Defense.** Plaintiff failed to mitigate or reasonably attempt to mitigate their alleged damages, if any, as required by law.

17. Defendant reserve its right to assert any additional defenses to Plaintiff's claims as they become known during the course of this litigation.

WHEREFORE, Defendant respectfully requests that Plaintiff take nothing by his suit, that their costs of suit be awarded against Plaintiff, and for such other and further relief, both at law and in equity, to which they may show themselves justly entitled.

Respectfully submitted,

J. Nathan Overstreet & Assoc., P.C.

/s/ J. Nathan Overstreet

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been served on the following parties according to the Federal Rules of Civil Procedure electronically on this the 24th day of April, 2020, to:

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